APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,166	05/22/2000	Paul G. Ringhof	BOC9-1999-0054-US1	2270

23334 7590 11/28/2003		EXAMINER
FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L.		NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
2154	

FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI
& BIANCO P.L.
ONE BOCA COMMERCE CENTER
551 NORTHWEST 77TH STREET, SUITE 111
BOCA RATON, FL 33487

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 September 2003* .

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-38* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   Claims 1 – 38 are presented for consideration.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathis [US

Patent No 6,269,254], in view of Bar et al. [US Patent No 6,122,665].

4.   As per claim 1, Mathis discloses the invention substantially as claimed including a

programmable agent workstation system in a directory assistance system (DAS) network,

comprising:

        (a) a JavaPhone means [col 3, lines 2-26];

        (b) a PlusTcp means [col 13, lines 34-37]; and

        (c) a PlusTapi means [col 10, lines 26-34];

        wherein

said JavaPhone means provides a JavaPhone with audio support in an Intelligent

Workstation Platform (IWSP) including audio controls/status and/or call controls/status [col 3,

lines 44-53; and col 12, lines 22-29 and lines 48-53];

said PlusTapi means enumerates commands and data items to the IWSP to allow a

Directory Assistance (DA) operator to communicate with said JavaPhone means and perform

related audio and call control operations including all switch related messaging [col 1, lines 55-

61; and col 12, lines 13-21 and lines 55-60].

Mathis does not specifically disclose

said PlusTcp means provides TCP/IP communication support for local socket

connections to said JavaPhone means, wherein the local socket connection is used for

communicating both audio and call control operations between the JavaPhone means and the

IWSP without the use of a Call Processing Gateway (CPG) while maintaining compatibility with

the H.323 protocol.

Bar discloses

said PlusTcp means provides TCP/IP communication support for local socket

connections to said JavaPhone means [col 3, lines 18-33; and col 6, lines 7-14], wherein the

local socket connection is used for communicating both audio and call control operations

between the JavaPhone means and the IWSP without the use of a Call Processing Gateway

(CPG) while maintaining compatibility with the H.323 protocol [col 5, lines 56-col 6, lines 4;

and col 14, lines 18-32].

It would have been obvious to a person skill in the art at the time the invention was made

to combine the teaching of Mathis and Bar because Bar's teaching of PlusTCP means would

provide a system for managing a communication session over a computer network [col 2, lines 26-28].

5.   As per claim 2, Mathis discloses one or more components of said system is implemented within an application programming interface (API) [col 10, lines 35-43].

6.   As per claim 3, Mathis does not specifically disclose TCP/IP communication occurs between PC-to-phone endpoints. Bar discloses TCP/IP communication occurs between PC-to-phone endpoints [col 14, lines 1-22]. It would have been obvious to a person skill in the art at that time the invention was made to combine the teaching of Mathis and Bar because Bar's teaching of PC-to-phone would provide a fully integrated process for multiple communication systems.

7.   As per claim 4, Bar discloses TCP/IP communication occurs between phone-to-PC endpoints [col 14, lines 1-22].

8.   As per claim 5, Bar discloses TCP/IP communication occurs between phone-to-phone endpoints [Figure 10].

9.   As per claim 6, Mathis discloses one or more components of said system is implemented on a personal computer (PC) [col 11, lines 65-67].

10.   As per claim 7, Mathis discloses personal computer (PC) utilizes a graphical user

interface [col 3, lines 14-18].

11.   As per claims 8 and 9, Mathis does not specifically disclose graphical user interface

utilizes a Microsoft Windows operating environment and an IBM AIX™ operating system. Bar

discloses graphical user interface utilizes a Microsoft Windows operating environment and an

IBM AIX™ operating system [col 4-lines 63-col 5, lines 9]. It would have been obvious to a

person skill in the art at the time the invention was made to combine the teaching of Mathis and

Bar because Bar's teaching of Windows and AIX™ operating system would allow users to have

a graphical view to configure, view and manage calls.

12.   As per claim 10, Mathis discloses JavaPhone means further comprises one or more of the

following a volume up/down means; a microphone mute/unmute means; a raise/lower

microphone gain means; a headset unjacking detection means; a sign on/off control/status means;

a call arrival indication means; a call termination indication means; a call conferencing means; a

make busy control means; and a hold/unhold call control means [col 10, lines 66-col 11, lines 15

].

13.   As per claims 11-15, they are rejected for similar reasons as stated above in claims 2, 6-9.

14.   As per claim 16, Mathis does not specifically disclose one or more of the following a

TcpOpen means; a TcpClose means; a TcpSend means; a TcpRecv means; a TcpGetLastError

means, and a TcpGetErrorString means. Bar discloses one or more of the following a TcpOpen

means; a TcpClose means; a TcpSend means; a TcpRecv means; a TcpGetLastError means, and

a TcpGetErrorString means [col 6, lines 27-34]. It would have been obvious to a person skill in

the art at the time the invention was made to combine the teaching of Mathis and Bar because

Bar's teaching would provide a step to manage and control connections.

15. As per claims 17-21, they are rejected for similar reasons as stated above in claims 2, 6-9.

16. As per claim 22, Mathis discloses a TapiMakeCall means [col 21, 50-56], a

TapiHoldCall means, a TapiUnholdCall means [col 3, lines 42-47]. It would have been obvious

that TAPI includes other functions such as a TapiBlindXferCall means, a TapiRetrieveCall

means, a TapiDisconnect means, a TapiBlindConfCall means, a TapiLogon means, a TapiLogoff

means, a TapiDTMF means, a TapiNotReady means, a TapiReady means, a TapiPing means, a

TapiHoldToggle means, a TapiReadyToggle means, a TapiMuteToggle means, a TapiVolumeSet

means, a TapiSetProperty means, a TapiGetProperty means, a TapiShutdown means, a

TapiVolumeUp means, a TapiVolumeDown means, a TapiMicGainUp means, a

TapiMicGainDown means, a TapiMicGainSet means, and a TapiDisplayErrs means [col 12,

lines 48-53; and col 18, lines 18-28].

17. As per claims 23-27, they are rejected for similar reasons as stated above in claims 2, 6-9.

18.   As per claim 28, it is rejected for similar reasons as stated above in claim 1. Furthermore,

Bar discloses Voice Over IP (VoIP) [col 5, lines 66-col 6, lines 4]. It would have been obvious

to a person a person skill in the art at the time the invention was made to combine the teaching of

Mathis and Bar because Bar's teaching would voice call to be carried over the IP network instead

of the traditional PSTN network to reduce costs.

19.   As per claims 29-33, they are rejected for similar reasons as stated above in claims 2, 6-9.

20.   As per claim 34, it is program product claimed of claim 28, it is rejected for similar

reasons as stated above in claim 28.

21.   As per claims 35-38, they are rejected for similar reasons as stated above in claims 6-9.

22.   Applicant's arguments with respect to claims 1-38 have been considered but are moot in

view of the new ground(s) of rejection.

23.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The

examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100